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PATENT DEPARTMENT

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Page 1 of 2

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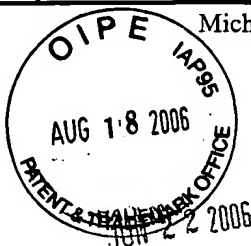
JUN 3 8 2006



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U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/566,088	Michael J. Caulfield	21468YP



INTERNATIONAL APPLICATION NO.	
PCT/US04/25033	
I.A. FILING DATE	PRIORITY DATE
07/30/2004	07/30/2003

000210  
MERCK AND CO., INC  
P O BOX 2000  
RAHWAY, NJ 07065-0907

CONFIRMATION NO. 5491

371 FORMALITIES LETTER



PATENT DEPARTMENT

JUN 23 2006

Date Mailed: 06/16/2006

M.D. YABLONSKY

### NOTIFICATION TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE AND/OR AMINO ACID SEQUENCE DISCLOSURES

Applicant is given **TWO MONTHS FROM THE DATE OF THIS NOTICE** within which to file the items indicated below to avoid abandonment. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

- This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 CFR 1.821(c) Applicant must provide an initial paper or compact disc copy of the "Sequence Listing", **as well as an amendment specifically directing its entry into the application** and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000).
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:

- For Rules Interpretation, call (571) 272-0951
- For Patentin Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.
- Send e-mail correspondence for Patentin Software Program Help @ [ebc@uspto.gov](mailto:ebc@uspto.gov)

Sequencing stamp due 8/16/06

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

BARBARA A CAMPBELL

Telephone: (703) 308-9140 EXT 217

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/566,088	PCT/US04/25033	21468YP

FORM PCT/DO/EO/922 (371 Formalities Notice)



Serial No.: 10/566,088  
Case No.: 21468YP  
Page 1

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Michael J. Caulfield et al.

Serial No.: 10/566,088

Case No.: 21468YP

Filed: July 30, 2004

For: ANTHRAX VACCINE

Art Unit:

Examiner:

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

RESPONSE TO OFFICE COMMUNICATION

Sir:

This communication is in response to the 371 Formalities Letter mailed June 16, 2006 requesting a "Sequence Listing". (Copy enclosed)

No extension of time is believed to be required in connection with the filing of this paper. If any time extension is needed for the timely filing of the present paper, applicants petition for such extensions and authorize the charging of deposit account 13-1755 for the appropriate fees. Please charge deposit account 13-2755 for any fees due in connection with this paper.

CERTIFICATE OF MAILING

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO: COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VIRGINIA 22313-1450, ON THE DATE APPEARING BELOW.

MERCK & CO., INC.

BY:  DATE: 15 August 2006

REMARKS

Applicant does not believe that any sequence listing is required for this application. The Office may be concerned about the recitation of "PGGA" throughout the application. "PGGA" is the abbreviation of poly-D-gamma glutamic acid (see Abstract).

CONDITIONAL PETITION

Applicant hereby makes a Conditional Petition for any relief available to correct any defect in connection with this filing, or any defect remaining in this application after this filing. The Commissioner is authorized to charge deposit account 13-2755 for the petition fee and any other fee(s) required to affect this Conditional Petition.

Teleconference Request

The Examiner is invited to telephone Applicant's undersigned attorney at the number provided below if the Examiner believes that a teleconference would advance the allowance of the claims.

Respectfully submitted,

By 

Michael D. Yablonsky, Ph.D.  
Reg. No. 40,407  
Attorney for Applicant(s)

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Rahway, New Jersey 07065-0907  
(732) 594-4678

DATE: 15 August 2006